

**UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF TEXAS**  
**MARSHALL DIVISION**

|  |   |                               |
|--|---|-------------------------------|
| TIERRA INTELECTUAL BORINQUEN, INC.       | ) |                               |
|  | ) |                               |
| Plaintiff                                | ) |                               |
|  | ) |                               |
| v.                                       | ) | CASE NO. 2:13-cv-39-JRG       |
|  | ) | <b>CONSOLIDATED LEAD CASE</b> |
| HTC CORPORATION et al.,                  | ) |                               |
|  | ) |                               |
| Defendants.                              | ) |                               |
|  | ) |                               |
|  | ) |                               |
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| TIERRA INTELECTUAL BORINQUEN, INC.       | ) |                               |
|  | ) |                               |
| Plaintiff,                               | ) |                               |
|  | ) |                               |
| v.                                       | ) | CASE NO. 2:13-cv-47-JRG       |
|  | ) |                               |
| TOSHIBA CORPORATION, et. al.,            | ) |                               |
|  | ) |                               |
| Defendants.                              | ) |                               |
|  | ) |                               |
|  | ) |                               |
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**DECLARATION OF KATIE J.L. SCOTT IN SUPPORT OF**  
**DEFENDANTS’ RESPONSIVE CLAIM CONSTRUCTION BRIEF**

I, Katie J.L. Scott, declare as follows:

1. I am a Partner with the law firm of Dickstein Shapiro LLP and a member of the bar of the State of California, admitted to practice before all of the Courts in the state. I am also admitted to practice before the Eastern District of Texas. I have personal knowledge of the matters set forth in this declaration and if called upon to testify in court, I could and would do so competently. I represent Defendants Toshiba Corporation and Toshiba America Information Systems, Inc. (collectively, “Toshiba”) in the above-captioned action.

2. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from the prosecution history of U.S. Patent No. 7,350,078, dated March 4, 2002 through December 2, 2005.

3. Attached hereto as Exhibit 2 is a true and correct copy of the January 17, 2006 Request for Continued Examination from the prosecution history of U.S. Patent No. 7,350,078.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 8, 2014.

  
Katie J.L. Scott